

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAFAEL DURAN,
individually and on behalf of all
similarly situated people,

Plaintiff,

CASE NO. 1:11-CV-313

v.

HON. ROBERT J. JONKER

SARA LEE CORPORATION d/b/a
SARA LEE FOOD & BEVERAGE,
SARA LEE FOODSERVICE, and
COUNTRY COMMONS, a foreign corporation,

Defendant.

VERDICT FORM

1. Have Plaintiffs proven by a preponderance of the evidence that donning and doffing personal protective equipment (“PPE”) before and after their work shifts is the first and last “principal activity” of their workday under the Fair Labor Standards Act (“FLSA”)?

☒ Yes

☐ No

If no, please go to question 2.

If yes, have Plaintiffs proven by a preponderance of the evidence that Defendant willfully violated the FLSA by not paying Plaintiffs for donning and doffing PPE before and after their shifts?

☒ Yes

☐ No

2. Have Plaintiffs proven by a preponderance of the evidence that Defendant paid them for less than all the time they spent donning and doffing good manufacturing practices equipment (“GMP”) at the beginning and end of their shifts?

- ☐ Yes
☒ No

If no, please go to question 3.

If yes, have Plaintiffs proven by a preponderance of the evidence that Defendant willfully violated the FLSA by not fully paying Plaintiffs for donning and doffing GMP at the beginning and end of their shifts?

- ☐ Yes
☐ No

3. Have Plaintiffs proven by a preponderance of the evidence that Defendant paid them for less than all the time they spent donning and doffing PPE and GMP at the beginning and end of their unpaid meal period?

- ☐ Yes
☒ No

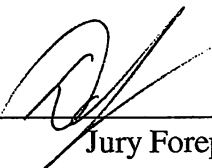
If no, please sign the form and call the jury officer.

If yes, have Plaintiffs proven by a preponderance of the evidence that Defendant willfully violated the FLSA by not fully paying Plaintiffs for donning and doffing PPE and GMP at the beginning and end of their unpaid meal period?

- ☐ Yes
☐ No

When you have completed this form, please sign the form and call the jury officer.

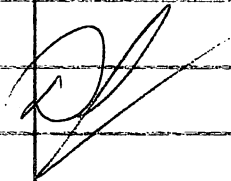
Date: 3-4-14



Jury Foreperson

We need deposition

of Renee Delashmuit

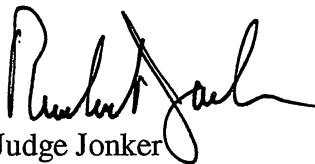
A handwritten signature or set of initials, possibly 'RD', written in dark ink. The strokes are fluid and somewhat stylized.

3:15 pm

3/4/14

Dear Jurors,

Do you want to break for the evening and come back tomorrow morning to continue your deliberations or do you want to continue longer today?


Judge Jonker
5:15 pm

Done !

Lets do this